

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

IRWIN JACOBOWITZ, et al.,
Plaintiffs,

v.

RICK HAWTHORNE, et al.,
Defendants.

CV 22-4038 DSF (KS)

Order DISMISSING action for
failure to prosecute and comply
with Court Order

As the Court explained in its last Order (Dkt. 24), the United States Court of Appeals for the Ninth Circuit vacated this Court's prior orders denying Plaintiffs in forma pauperis status and dismissing the case, and remanded to allow Plaintiffs the opportunity to file an amended complaint. Jacobowitz v. Hawthorne, No. 22-55769, 2023 WL 4418594, at *1 (9th Cir. July 10, 2023).

Accordingly, on September 5, 2023, this action case was reopened, Plaintiffs were granted leave to proceed in forma pauperis, and each Plaintiff was directed to either file a first-amended complaint or a notice of dismissal if they no longer wished to pursue the action. (Dkt. 24). The Court warned that failure to comply within thirty (30) days would result in dismissal of the case without prejudice. (Id.).

To date, Plaintiffs have not complied or otherwise responded. Accordingly, this action is DISMISSED without prejudice for failure to prosecute and comply with the Court Order. See e.g., Ghazali v. Moran, 46 F.3d 52, 54 (9th Cir. 1995); Jeffrey H. v. Comm'r, Soc. Sec. Admin., 2019 WL 2870082, at *2 (D. Or. July 3, 2019) (dismissing for failing to prosecute and comply with court order where plaintiff failed

to follow scheduling rules and had taken no action in response to order to show cause).

IT IS SO ORDERED.

Date: October 31, 2023



Dale S. Fischer
United States District Judge